

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. _____
v.	:	DATE FILED: _____
OMONDI COOK	:	VIOLATIONS:
	:	21 U.S.C. § 841(a)(1) (possession with intent to distribute cocaine base ("crack") - 1 count)
	:	21 U.S.C. § 841(a)(1) (possession with intent to distribute cocaine - 1 count) 18 U.S.C. § 924(c)(1) (carrying a firearm in furtherance of a drug trafficking crime - 1 count) 18 U.S.C. § 922(g)(1) (felon in possession of a firearm - 1 count) Notice of additional factors Notice of forfeiture Notice of prior conviction

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about March 10, 2004, at Philadelphia, in the Eastern District of
Pennsylvania, defendant

OMONDI COOK

knowingly and intentionally possessed with the intent to distribute more than 50 grams, that is,
approximately 152.6 grams, of a mixture or substance containing a detectable amount of cocaine
base ("crack"), a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 10, 2004, at Philadelphia, in the Eastern District of
Pennsylvania, defendant

OMONDI COOK

knowingly and intentionally possessed with the intent to distribute approximately 278.1 grams of
a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled
substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 10, 2004, at Philadelphia, in the Eastern District of Pennsylvania, defendant

OMONDI COOK

knowingly possessed a firearm, that is, a black Glock Model 31, .357 SIG pistol, serial number CDZ131, in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, that is, possession with the intent to distribute a controlled substance in violation of Title 21, United States Code, Section 841(a)(1).

In violation of Title 18, United States Code, Section 924(c)(1).

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about March 10, 2004, at Philadelphia, in the Eastern District of
Pennsylvania, defendant

OMONDI COOK,

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate and foreign commerce a firearm and ammunition, that is, a black Glock Model 31, .357 SIG pistol, serial number CDZ131, and 14 rounds of .357 caliber ammunition.

In violation of Title 18, United States Code, Section 922(g)(1).

NOTICE OF ADDITIONAL FACTORS

THE GRAND JURY FURTHER CHARGES THAT:

1. In committing the offense charged in Count One of this indictment,
defendant OMONDI COOK:

a. Committed an offense and relevant conduct involving at least 150
grams but less than 500 grams of cocaine base, as described in U.S.S.G. § 2D1.1(a)(3).

b. Committed an offense in which a dangerous weapon (including a
firearm) was possessed, as described in U.S.S.G. § 2D1.1(b)(1).

2. In committing the offense charged in Count Two of this indictment,
defendant OMONDI COOK:

a. Committed an offense and relevant conduct involving at least 200
grams but less than 300 grams of cocaine, as described in U.S.S.G. § 2D1.1(a)(3).

b. Committed an offense in which a dangerous weapon (including a
firearm) was possessed, as described in U.S.S.G. § 2D1.1(b)(1).

3. In committing the offense charged in Count Four of this indictment,
defendant OMONDI COOK:

a. Committed an offense in which any firearm has an obliterated
serial number, as described in U.S.S.G. § 2K2.1(b)(4).

b. Used and possessed any firearm and ammunition in connection with another felony offense, as described in U.S.S.G. § 2K2.1(b)(5).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Sections 922(g)(1) and 924(c)(1), set for in this indictment, the defendant

OMONDI COOK

shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c), all firearms and ammunition involved in the comission of these offenses, including, but not limited to:

- a. one black Glock Model 31, .357 SIG pistol, serial number CDZ131,
- and
- b. fourteen rounds of .357 caliber ammunition.

All pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c).

NOTICE OF PRIOR CONVICTION

THE GRAND JURY FURTHER CHARGES THAT:

Defendant OMONDI COOK committed the offenses charged in Counts One and Two of this indictment after having been convicted in a court of the Commonwealth of Pennsylvania of a felony drug offense, that is, manufacturing/delivering/possession with intent to manufacture/deliver a controlled substance and knowingly possessing a controlled substance, C.P. Phila. Cty. 0005-0983.

A TRUE BILL:

GRAND JURY FOREPERSON

PATRICK L. MEEHAN
UNITED STATES ATTORNEY